

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

ALBERT L. GRAY, Administrator, et al., :
Plaintiffs, :
 :
vs. : C.A. No. 04-312L
 :
JEFFREY DERDERIAN, et al., :
Defendants. :

NOTICE OF SETTLEMENT

JACK RUSSELL, JACK RUSSELL TOURING, INC., PAUL WOOLNOUGH, MANIC
MUSIC MANAGEMENT, INC., KNIGHT RECORDS, INC., DANIEL BIECHELE,
MARK KENDALL, DAVID FILICE AND ERIC POWERS

Counsel for the Gray Plaintiffs¹ and counsel for Defendants Jack Russell, Jack Russell Touring, Inc., Paul Woolnough, Manic Music Management, Inc., Knight Records, Inc., Daniel Biechele, Mark Kendall, David Filice and Eric Powers wish to advise the Court that a settlement in principle has been reached for consideration of One Million (\$1,000,000.00) Dollars. Payment of this sum constitutes an agreement by all undersigned parties that all claims among or between them are resolved by this settlement.

Plaintiffs' counsel in all pending Station Fire Cases² have agreed to this settlement of claims against these Defendants, which settlement is expressly subject to: (1) approval of all Plaintiffs; (2) execution of mutually acceptable release and indemnity agreements by all Plaintiffs; (3) approval of this

¹ All Plaintiffs represented by counsel in Gray, et al. v. Derderian, et al., C.A. No. 04-312L and Napolitano, et al. v. Derderian, et al., C.A. No. 06-080L as indicated by the signatures of counsel.

² All Station Fire Plaintiffs in the cases of Gray, et al. v. Derderian, et al., C.A. No. 04-312L; Napolitano, et al. v. Derderian, et al., C.A. No. 06-080L; Passa, et al. v. Derderian, et al., C.A. No. 03-148L; Kingsley, et al. v. Derderian, et al., C.A. No. 03-208L; Guindon, et al. v. American Foam Corp., et al., C.A. No. 03-335L and Guindon, et al. v. Derderian, et al., C.A. No. 07-366; Henault, et al. v. American Foam Corp., et al., C.A. No. 03-483L; Roderiques, et al. v. American Foam Corp., et al., C.A. No. 04-026L; Sweet, et al. v. American Foam Corp., et al., C.A. No. 04-056L; Paskowski, et al. v. Derderian, et al., C.A. No. 05-002L; Kolasa v. American Foam Corp., et al., C.A. No. 05-070L; Long v. American Foam Corporation, C.A. No. 06-047L; Malagrino v. American Foam Corp., et al., C.A. No. 06-002L; and Gonsalves v. Derderian, et al., C.A. No. 06-076L.

settlement by the Court; (4) approval by this Court of the allocation plan being developed by the Special Master, and (5) successful defense to any challenge to the constitutionality of the Rhode Island Uniform Contribution Among Joint Tortfeasors Act (R.I.G.L. sec. 10-6-2, et. seq.), as amended.

Plaintiffs #13d and e, #17 through #63, inclusive, #133 through #190, inclusive, #225 through #233, inclusive, # 240, and #251 through #257, inclusive, and the Napolitano plaintiffs,
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CERTIFICATION

I hereby certify that an exact copy of the within document was electronically submitted to the Electronic Case Filing System of the United States District Court for its distribution to all counsel of record and a copy was electronically mailed to *pro se* defendant on this 2nd of September, 2008.

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